

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:34 a.m. on March 24, 2003 in Room 423-S of the Capitol.

Members present: Senator Lee, Senator Tyson, Senator Taddiken, Senator Umbarger, Senator Huelskamp, Senator Corbin, Senator Adkins, Senator Schmidt

Committee staff present: Raney Gilliland, Legislative Research
Lisa Montgomery, Revisor of Statutes
Shannon Stone, Secretary

Conferees appearing before the committee:

Jere White, Kansas Corn Growers, Kansas Grain Sorghum Producers, Kansas Grain and Feed Association , Kansas Agribusiness Retailers Association
Karl Muldener, Kansas Department of Health and Environment (KDHE)
Steve Swaffar, Kansas Farm Bureau (KFB)
Secretary Mike Hayden, Kansas Department of Wildlife and Parks
Charles Benjamin, Sierra Club

Others attending: See attached list

House Bill 2219

Staff, Raney Gilliland reviewed the bill with the Committee and answered questions. ([Attachment 1](#))

Jere White, representative of several agricultural business associations, provided testimony in support of the bill. He stated that the bill was a realistic approach to protecting water quality in Kansas, and that standards defined in the bill were consistent with those already endorsed by the Environmental Protection Agency. ([Attachment 2](#))

Speaking on behalf of the Department of Health and Environment, Karl Muldener gave oral testimony addressing the anomalies the Department has run into enacting **HB 2219**. Mr. Muldener also requested that the Committee consider placing certain small streams into subcategories. The Department submitted written testimony at a later time. ([Attachment 3](#))

Steve Swaffar of Kansas Farm Bureau shared his organization's support for the bill. He praised the action taken to create **HB 2219** to correct deficiencies identified by EPA. Mr. Swaffar encouraged the Committee to begin the primary recreational use season on May 1 and end it on September 30 of each year. They also suggested that the definition of "kayaking" retain the classification of a "primary recreational use activity" and all other forms of boating, fall under the heading of "secondary recreational use activities". ([Attachment 4](#))

Senator Umbarger shared two letters from Fish and Wildlife Service regarding Federal statutes. ([Attachments 5 and 6](#)).

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:30 a.m. on March 24, 2003 in Room 423-S of the Capitol.

At the invitation of the Committee, Secretary Hayden spoke about how the change of dates might affect the Department. In response to a question from the Committee, Secretary Hayden responded that he did not believe reclassification of streams would affect walk-in-hunting-areas (WIHA).

At the invitation of the Committee, Charles Benjamin of the Sierra Club shared his concerns with a change in the dates for recreation. He asserted that EPA was in violation of the Clean Water Act due to their failure to notify the state within the prescribed ninety days following the filing of the state's report.

Senator Tyson closed the hearing on the bill and announced that it would be worked on the 25 of March.

The meeting was adjourned at 9:30 a.m.